## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

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KELVIN DWIGHT LEWIS,

Plaintiff,

V.

LSG SKY CHEFS,

Defendants.

CIVIL ACTION NO. 3:14-CV-3107-M

## JOINT STATUS REPORT ON AWARD OF ATTORNEYS' FEES AND EXPENSES TO DEFENDANT

Pursuant to the Court's April 6, 2016 Order on Fed. R. Civ. P. 37 Award of Expenses (Docket No. 60), the parties have conferred, as required, and have reached the following agreement on the amount of attorneys' fees and costs to be awarded to Defendant in connection with the preparation and filing of Defendant's Motion to Compel (Docket No. 52):

I.

## INTRODUCTION

This is an employment case brought by a former Sky Chefs, Inc. d/b/a LSG Sky Chefs ("Defendant") employee, *pro se* Plaintiff Kelvin Lewis ("Plaintiff"), alleging race discrimination, wrongful termination, and defamation. Defendant denies Plaintiff's allegations and maintains that Plaintiff's employment was terminated for legitimate, non-discriminatory reasons—namely, failing a random alcohol breathalyzer and blood test.

On February 23, 2016, Defendant filed a *Motion to Compel Discovery Responses and Brief in Support* ("Motion to Compel") with the Court. *See* Docket No. 52. The basis for the *Motion to Compel* was Plaintiff's failure to serve Rule 26(a) disclosures and failure to respond to *Defendant's First Requests for Production. Id.* Defendant also asked the Court to sanction

Plaintiff by ordering him to pay Defendant's reasonable attorneys' fees incurred in drafting and filing the *Motion to Compel*. *Id*.

On March 9, 2016, the Court entered an *Order Granting Defendant's Motion to Compel Discovery Responses*. See Docket No. 55.

On April 6, 2016, the Court entered an *Order on Fed. R. Civ. P. 37 Award of Expenses*, awarding Defendant its attorneys' fees and expenses incurred in connection with filing its *Motion to Compel* and ordering the parties to meet and confer in-person on the amount of attorneys' fees and costs to be awarded to Defendant and file a joint status report regarding same. *See* Docket No. 60.

On April 18, 2016, the parties met in-person at defense counsel's office to confer regarding the amount of attorneys' fees and costs to be awarded to Defendant. During the conference, the parties agreed that Defendant is entitled to \$1,510.50 in attorneys' fees and costs in connection with preparing and filing its *Motion to Compel*. The parties also agreed that Plaintiff will pay Defendant the \$1,510.50 in full by June 1, 2016 and any and all payment checks for this amount must be made payable to "Ogletree, Deakins, Nash, Smoak & Stewart, P.C." and mailed or hand-delivered to defense counsel.

II.

## CONCLUSION AND REQUESTED RELIEF

For all the foregoing reasons, the parties respectfully request the Court enter the attached proposed *Agreed Order Awarding Attorneys' Fees and Expenses to Defendant*, that awards Defendant \$1,510.50 in attorneys' fees and costs incurred in connection with the preparation and filing of *Defendant's Motion to Compel* (Docket No. 52) and requires Plaintiff to pay this amount in full by June 1, 2016, to Defendant.

Respectfully submitted,

By: Kelvin Lewis

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